

REMARKS

Claims 1, 2, 5 and 6 are all the claims pending in the application. Claim 1 has been amended to more clearly point out the feature of the claimed invention. Support for the amendment may be found by, for example, the disclosure at page 6, lines 10-20 of original specification and drawings, for example Figs. 3, 4, 5A-5B and 8C-8D. No new matter has been introduced. Entry of the Amendment and Reconsideration are respectfully requested.

At the outset, Applicant thank Examiner Lindsey Bachman and Michael Hayes for the interview of January 8, 2008.

Claim Rejection under 35 U.S.C. 103

Claims 1 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Metcalf (U.S. Patent No. 1,380,232) in view of Risley (U.S. Patent No. 1,198,958). Applicant respectfully traverses the rejection.

Metcalf is relied upon to disclose a holder (5), a pressing portion having a first extension (2) and a second extension (3), and a ring-like hole (4) formed inward from the first and second extensions. It is further relied upon to teach an auxiliary grip (10) that extends perpendicular to the holder.

The Office states that Metcalf fails to that the bottom of the surface is formed with a convex curved surface.

Risley is relied upon to teach a convex curved surface.

Currently presented claim 1 recites "[a] pimple removal utensil comprising a holder; and a pressing portion in which a first extension and a second extension are formed, which correspond to each other and are branched off and extended from the holder, and including a ring-like hole formed inward of the first and second extensions, wherein the length of the pressing portion is shorter than the length of the holder, and the ring-like hole has a first ring-like area which is connected to the holder and a second area which is extended from the first ring-like area and has a gradually narrowing internal diameter toward distal ends of the first and second extensions such that the internal diameter of the second area is always smaller than the maximum internal diameter of the first ring-like area; wherein at least a part of the pressing portion is to be contact with the skin surface from which a pimple is removed in such a way that the first ring-like area of the ring-like hole of the pressing portion is positioned to surround the pimple; wherein a bottom of the pressing portion is convex curved, the bottom of the pressing portion is to be contact with the surface from which the pimple is removed; wherein the first and second extensions press an area of the skin surface, from which the pimple is removed, with a lateral force derived from the second area as the pimple positioned inside the hole moves to the distal ends of the first and second extensions with the backward movement of the pressing portion along the convex curved surface of the bottom of the pressing portion; and wherein the pressing of the pressing portion produces pressure on the surface by increasing an angle between the surface and the holder, and the backward movement of the pressing portion causes applying increased pressure around the pimple to extract the pimple from the skin surface."

Metcalf fails to teach that the ring-like hole of the pressing portion has a first ring-like area which is positioned to surround the pimple, and a second area which is extended from the first ring-like area and has a gradually narrowing internal diameter toward distal ends of the first and second extensions such that the internal diameter of the second area is always smaller than the maximum internal diameter of the first ring-like area. Also, Metcalf fails to teach the article having a holder and the pressing wherein the length of the pressing portion is shorter than the length of the holder.

Metcalf merely discloses a circle-shaped segment or curve (4) stamped from a thin sheet of steel during manufacturing process. Metcalf's ring-like hole is neither related nor intended to the first ring-like area for being positioned to surround the pimple. Metcalf's ring-like hole also fails to introduce that the second area has a gradually narrowing internal diameter toward distal ends of the first and second extensions, which creates increased collaborative pressure around the pimple with the backward movement of the pressing portion. The internal diameter of the second area is always smaller than the maximum internal diameter of the first ring-like area, so that the backward movement of the pressing portion can produce increased pressure around the pimple to be removed, rendering an effective removal of the pimple from the skin surface. Nowhere in Metcalf teaches or suggests such structure or function.

Like Metcalf, Risley also fails to teach that the ring-like hole of the pressing portion has a first ring-like area which is positioned to surround the pimple, and a second area which is extended from the first ring-like area and has a gradually narrowing internal diameter toward distal ends of the first and second extensions.

Meanwhile, Metcalf fails to further teach that the pressing of the pressing portion causes pressure to the skin surface by increasing an angle between the surface and the holder. Metcalf merely discloses a tongue (5) connected to two jaws (2,3) via a curve (4) in a straight line.

Again, increasing the angle between the surface and the holder to apply increased pressure on the skin surface are not taught by Metcalf and/or Risley. Metcalf only teaches that the jaws will be forced toward each other by reason of the cam action of the lever (11) against the convex edge of jaw (2). Risley's curved clamping ends (3,4) should be considered to facilitate to grasp a material, e.g., a pimple rather than gradually increase an angle between the skin surface and the holder.

Applicant respectfully submits that Risley does not cure the defects of Metcalf, which fails to teach that the pressing of the pressing portion causes pressure on the surface by increasing an angle between the surface and the holder, and the backward movement of the pressing portion causes application of increased pressure around the pimple to extract the pimple from the surface.

Accordingly, it is believed that the rejections under 35 U.S.C. 103 are not sustainable and their withdrawal is respectfully requested.

Claim 2 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Metcalf in view of Risley, as applied to Claim 1, in further view of Chester (U.S. Patent No. 3,815,609).

Metcalf and Risley were discussed above with respect to the rejection of claim 1 under 35 U.S.C. 103(a), and fails to teach all elements of claim 1.

Chester is relied upon to teach grooves and protrusions on the inner surface of a device.

Accordingly, it is believed that the rejections under 35 U.S.C. 103 are not sustainable and their withdrawal is respectfully requested.

Claim 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Metcalf in view of Risley, as applied to Claim 1, in further view of Segal (U.S. Patent No. 1,714,822).

Metcalf and Risley were discussed above with respect to the rejection of claim 1 under 35 U.S.C. 103(a), and fails to teach all elements of claim 1. Segal is relied upon to teach a locking mechanism for temporarily locking the arms of tweezers.

As discussed above, claim 1 is not obvious over Metcalf and Risley, and therefore, at the for the same reasons, claim 6, which depends from claim 1, should be allowable.

Hunsaker *et al.*, (U.S. Patent 1,842,403)

At the interview, Hunsaker was cited by the Examiner as a reference teaching a pimple remover having a holder and a ring-like hole, wherein the ring-like hole is closed.

Applicants respectfully submit that Hunsaker fails to teach the structure of a pressing portion (of a pimple remover), in which a first extension and a second extension are formed, which correspond to each other and are branched off and extended from the holder, and including a ring-like hole formed inward of the first and second extensions, wherein the length of the pressing portion is shorter than the length of the holder, and the ring-like hole has a first ring-like area which is connected to the holder and a second area which is extended from the first

ring-like area and has a gradually narrowing internal diameter toward distal ends of the first and second extensions such that the internal diameter of the second area is always smaller than the maximum internal diameter of the first ring-like area.

Accordingly, it is believed that the rejections under 35 U.S.C. 103 are not sustainable and their withdrawal is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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